

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

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WILLIAM MARSHALL,

Defendant

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Case No. 3:21-MJ- 400 (ML)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of August 18, 2021 in the county of Tompkins in the Northern District of New York the defendant violated:

*Code Section*

Title 18, United States Code, Section  
922(g)(1)

*Offense Description*

Possession of a firearm by a convicted felon

This criminal complaint is based on these facts:

See Attached Affidavit.

Continued on the attached sheet.

*Complainant's signature*

Brad A. Brechler, Special Agent, HSI

*Printed name and title*

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: August 18, 2021

*Judge's signature*

City and State: Binghamton, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

*Printed name and title*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

**United States v. William Marshall**

Case No. 3:21-MJ-

**Filed Under Seal**

**AFFIDAVIT IN SUPPORT OF  
A CRIMINAL COMPLAINT**

I, Brad A. Brechler, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of a criminal complaint charging William L. Marshall with violating Title 18, United States Code, Section 922(g)(1), felon in possession of a firearm.

2. I am a Special Agent with Homeland Security Investigations (HSI) and have been so employed since 2009. I attended the Federal Law Enforcement Training Center (FLETC), located in Glynco, Georgia, where I was enrolled in and successfully completed both Criminal Investigator Training Program (CITP) and Immigration and Customs Enforcement Special Agent Training (ICESAT). During the course of my training, I received instruction on physical surveillance, interviewing sources of information and defendants, applying for and serving search warrants and arrests warrant and procedures for conducting criminal investigations.

3. While serving as an HSI Special Agent I have conducted investigations involving narcotics smuggling, currency smuggling, merchandise smuggling, child pornography and child exploitation and immigration violations. I have been the affiant for numerous search and arrest warrants for the above-mentioned criminal violations.

4. I am an investigative, or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States

who is empowered by law to conduct investigations of and make arrests for the offenses enumerated in Title 18 and 21 United States Code. As an HSI Special Agent, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, and Title 21 offenses, related to the unlawful possession and of firearms and narcotics violations.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for the requested arrest warrant and does not set forth all of my knowledge about this matter.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe William Marshall, violated Title 18, United States Code, Section 922(g)(1) by possessing a firearm which he is not authorized to possess (person who has been convicted of a felony).

### **PROBABLE CAUSE**

7. On or about August 18, 2021, members of the Ithaca Police Department (IPD) applied for and received a state search warrant for the residence of William Marshall, which is located at 416 N Plain St, Upper, Ithaca, New York, in connection with a homicide investigation involving a victim shot to death in the City of Ithaca on July 20, 2021. This location is a studio apartment. The execution of the search warrant occurred at approximately 6:00 a.m. on August 18, 2021. During the execution of the search warrant, officers announced their presence and William Marshall provided them with the numeric passcode to open the door to the apartment. William Marshall admitted IPD Detectives into the residence where it was found he was the sole occupant.

8. During the execution of the search warrant, IPD Investigators located a Lorcin Model L380 .380 Cal pistol bearing Serial number 541115, in a drawer in the kitchen area. The

pistol had a magazine with seven (7) rounds of ammunition. No ammunition was loaded in the pistol. In addition to the pistol, approximately one (1) gram of a white powdery substance that is believed to be suspected cocaine and a bag of suspected marijuana was found in the same drawer. On the kitchen counter and throughout the residence was more suspected marijuana (approximately 2 pounds in total throughout the residence) and approximately \$37,000 of U.S. currency, all of which was seized as evidence.

9. The search of the residence resulted in legitimate (authentic) identification documents belonging to Marshall, including his U.S. passport, as well as fraudulently obtained documents that contained Marshall's photo, but were in other's names. One of the fraudulent identifications found during the search was a Connecticut ID in the name Andrew Daly. Law enforcement record checks list Andrew Daly as one of the owners of 416 N Plain St, Ithaca, NY. No identification documents were found that were not attributable to Marshall during the search.

10. A National Crime Information Center (NCIC) check for the Lorcin Model L380 .380 Cal firearm, Serial number 541115, indicated the pistol was previously reported stolen from Norfolk, VA, providing an interstate nexus for this firearm.

11. Furthermore, Marshall is a previously convicted felon, having been convicted on or about August 14, 2002 after trial in Tompkins County (New York) Court of a violation of New York Penal Law Section 220.21, Criminal Possession Controlled Substance-1<sup>st</sup> Degree. Marshall was sentenced to serve 15 years to life in prison. He was subsequently re-sentenced on January 5, 2010 to serve eight (8) years in prison for this offense, a crime punishable by a term of more than one year's imprisonment.

12. I request the Court authorize the filing of a criminal complaint alleging that William Marshall has violated Title 18, United States Code, Section 922(g)(1) and issue an arrest warrant so he may be brought to court for further proceedings in accordance with law.

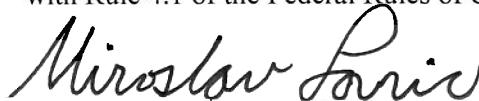
Attested to by the Affiant,



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Brad A. Brechler  
Special Agent  
Homeland Security Investigations (HSI)

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on the 18 day of August, 2021 in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



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Honorable Miroslav Lovric  
U.S. Magistrate Judge